

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants: Singer, *et al.* Special Program
Examiner: Kenneth A. Weider

Application No.: 09/779,875 Group: Technology Ctr. 2600

Filed: February 8, 2001 Atty. No.: 0162095-0022 (0011)

Title: "DYNAMIC SYSTEM CONTROL METHOD"

Assistant Commissioner for Patents
Washington, DC 20231

MAY 24 2002

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Sir:

PETITION TO MAKE SPECIAL RECONSIDERATION REQUEST

This **Reconsideration Request** is in response to a **Decision on Petition to Make Special**, dated **May 3, 2002**, related to the patent application cited above. Our Petition to Make Special has been initially **dismissed** because we did not submit copies of the references discussed in our Petition to Make Special and cited in an International Search Report by a foreign patent office in its pre-examination search related to a corresponding international patent application. We filed the Petition to Make Special and appropriate fees with the divisional patent application referenced above on February 8, 2001. It is our suspicion that the presence of the Petition may not have been noticed by the Office of Initial Patent Examination. Please find enclosed the following references, which are noted as lacking in the May 3, 2002, Decision, and which complete our Petition to Make Special application:

1. European Patent Application No. 0 441 407 A1;
2. U.S. Patent No. 5,696,647;
3. European Patent Application No. 0 543 654 A2;
4. European Application No. 0 308 062; and
5. UK Patent Application No. GB 2303732A.

Please contact us if you need any further information in your reconsideration.

Respectfully submitted,


John A. Hamilton
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Registration No. 48,946

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In re Application of
Neil Singer, et al.
Application No.: 09/779,875
Filed: February 8, 2001
For: DYNAMIC SYSTEM CONTROL
METHOD

Done By	
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Paper No. 6

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MAY 3 - 2002

DIRECTOR OFFICE
TECHNOLOGY CENTER 2600
DECISION ON PETITION
TO MAKE SPECIAL

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Technology Center 2600

This is a decision on the petition to treat the above-identified application as special and advance the examination thereof, under 37 C.F.R. § 1.102 and M.P.E.P. § 708.02(VIII), filed April 4, 2002.

A grantable petition to make special under 37 C.F.R. § 1.102 and in accordance with M.P.E.P. § 708.02, Item VIII, must be accompanied by (a) the fee set forth in 37 C.F.R. § 1.17(I), (b) a statement that all claims are directed to a single invention or an offer to make an oral election without traverse should the Patent and Trademark Office hold that the claims are not directed to a single invention, (c) a statement that a pre-examination search has been made by the inventor, attorney, agent, professional searcher, etc., and a listing of the field of search by class and subclass, (d) one copy of each of the references deemed most closely related to the subject matter encompassed by the claims, and (e) a detailed description of the submitted references and discussions pointing out how the claimed subject matter is distinguishable over these references.

The petition lacks requirement (d).

For the above stated reasons, the petition is **DISMISSED**.

Should applicant desire reconsideration, he or she should supplement this petition by including the information as outlined above. No further petition fee is required.

Any request for reconsideration must be filed within **TWO MONTHS** from the date of this decision.

The petition fee of \$130.00 will be charged to the practitioner's deposit account as authorized. The application file will be forwarded to the Technology Center's Central Files and will await action in its regular turn.

Kenneth A. Wieder

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